

REMARKS

Summary of the Office Action

Claims 1-8, 10, 12-14, and 16 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over figures 5 and 7 in view of figure 2 of U.S. Patent No. 6,411,501 to Cho et al.

Claims 9, 11, 15, and 17 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over figures 5 & 7 in view of figure 2 of U.S. Patent No. 6,411,501 to Cho et al. and further in view of U.S. Patent No. 6,104,605 to Lee.

Summary of the Response to the Office Action

Claim 6 has been amended to correct a typographical error. Claims 1-17 are presently pending.

All Claims Define Allowable Subject Matter under 35 U.S.C. § 103

Claims 1-8, 10, 12-14, and 16 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over figures 5 and 7 in view of figure 2 of U.S. Patent No. 6,411,501 to Cho et al. Applicants respectfully traverse the rejection as being based upon a reference that neither teaches nor suggests the novel combination of features clearly recited in independent claims 1, 6 and 12. For example, claims 1, 6 and 12, require that the rear surface of the display module is in direct contact with an opposing surface of the case from which the plurality of second joining parts are arranged upon.

The Office Action admits at page 3 that figures 5 and 7 of Cho et al. fails to disclose that the rear surface of the display module is in direct contact with an opposing surface of the case

from which the plurality of second joining parts are arranged upon. However, the Office Action goes on to assert that figure 2 of Cho et al. discloses the rear surface of a display module in direct contact with an opposing surface of the case from which the plurality of second joining parts are arranged upon.” As a result, the Office Action alleges that it would have been obvious to one of ordinary skill in the art to modify a display of figure 2 in Cho et al. into the display of figures 5 and 7 in Cho et al.

Applicants respectfully assert that the Office Action’s alleged motivation to modify the display of figures 5 and 7 of Cho et al. with the display of figure 2 of Cho et al. is not taught or suggested anywhere in Cho et al. The display of figure 2 in Cho et al. is disclosed as the conventional art and the display of figures 5 and 7 in Cho et al. is an embodiment of the invention of Cho et al. Applicants respectfully note that MPEP 2143.01 instructs that “[o]bviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention, where there is some teaching, suggestion or motivation to do so found in either explicitly or implicitly in the references themselves or in the knowledge generally available to one of ordinary skill in the art.” Accordingly, Applicants respectfully submit that there is no motivation to combine figure 2 in Cho et al. with figures 5 and 7 in Cho et al. since Cho et al. only teaches that the embodiments of the invention in Cho et al., as shown in figures 5 and 7, are distinct from the conventional art, as shown in figure 2.

Applicants also respectfully submit that combining figure 2 of Cho et al. into figures 5 and 7 of Cho et al. would render the apparatus in figure 5 and 7 of Cho et al. unsatisfactory for its intended purpose. As described in the Abstract, and at col. 5, lines 46-64, Cho et al. is directed to mounting a display module using a hinge having a hinge frame. The hinge frame is

described as having a first surface coupled with the rear surface of the display module and a second surface coupled with the side wall surface of the display case. By combining figure 2 of Cho et al. into figures 5 and 7 of Cho et al., there would be no need for the hinge frame. Further, the hinge frame would have to be removed in the combination of figure 2 in Cho et al. with figures 5 and 7 of Cho et al. so that such a combination could be argued as having the rear surface of a display module in direct contact with an opposing surface of the case from which the plurality of second joining parts are arranged upon. MPEP §2143.01 instructs that “[i]f the proposed modification would render the prior art invention being modified unsatisfactory for its intended purpose, then there is no suggestion or motivation to make the proposed modification. In re Gordon, 773 F.2d 900, 221 USPQ 1125 (Fed. Cir. 1984). Accordingly, Applicants respectfully submit that there is no motivation to combine figure 2 of Cho et al. into figures 5 and 7 of Cho et al.

For these reasons, Applicants respectfully assert that the rejection under 35 U.S.C. § 103(a) with regard to independent claims 1, 6 and 12 should be withdrawn at least because there is no showing of a proper motivation to modify or combine the prior art teachings. Further, Applicants respectfully assert that dependent claims 2-5, 7, 8, 10, 13, 14 and 16 are allowable at least because of their dependence on independent claims 1, 6 or 12, and for the additional features that dependent claims 2-5, 7, 8, 10, 13, 14 and 16 recite.

Claims 9, 11, 15, and 17 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over figures 5 and 7 in view of figure 2 of U.S. Patent No. 6,411,501 to Cho et al. and further in view of U.S. Patent No. 6,104,605 to Lee. Applicants respectfully submit that Lee does not cure the above-noted deficiencies of Cho et al. and that none of the applied references, whether

taken alone or in combination, teaches or suggests at least a proper motivation to modify or combine the reference teachings, as discussed above. Accordingly, Applicants respectfully assert the rejection under 35 U.S.C. § 103 should be withdrawn. Further, dependent claims 9, 11, 15 and 17 are allowable because of their dependency on the independent claims and for the additional features that dependent claims 9, 11, 15 and 17 recite.

CONCLUSION

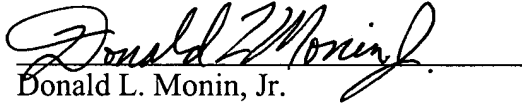
In view of the foregoing amendments and remarks, Applicants respectfully request reconsideration and reexamination of this application and the timely allowance of the pending claims. Should the Examiner feel that there are any issues outstanding after consideration of the Response, the Examiner is invited to contact the Applicants' undersigned representative to expedite prosecution.

EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required.

Respectfully submitted,

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